

REMARKS

Claims 1–23 are pending in the application. These claims were rejected as follows:

Claims / Section	35 U.S.C. Sec.	References / Notes
11–20 & 22–23	§101	<ul style="list-style-type: none">• Non-statutory subject matter
23	§112, Second Paragraph Indefiniteness	<ul style="list-style-type: none">• Antecedent basis
1–16, 19, 20, 22, & 23	§102(b) Anticipation	<ul style="list-style-type: none">• O’Flaherty, et al. (U.S. Patent No. 6,253,203).
17, 18, & 21	§103(a) Obviousness	<ul style="list-style-type: none">• O’Flaherty, et al. (U.S. Patent No. 6,253,203); and• Roginsky, et al. (U.S. Patent Pub. No. 2003/0084339)

5 Applicant has amended claims 11–20, 22, and 23 to address the issues raised by the Examiner under 35 U.S.C. §101, and has amended claim 1 to include the limitations of claim 9 (which has been cancelled), has amended claim 11 to include the limitations of claim 21 (which has been cancelled), and has amended claim 23 to include the limitations of claim 11 prior to amendment.

10 Applicant’s use of reference characters below is for illustrative purposes only and is not intended to be limiting in nature unless explicitly indicated.

35 U.S.C. §101 NON-STATUTORY SUBJECT MATTER FOR CLAIMS 11–20, 22, AND 23

1. Applicant has amended claims 11–23 to include statutory subject matter.

15 In the OA, on p. 2, the Examiner rejected claims 11–20, 22, and 23 under 35 U.S.C. §101 as being directed to non-statutory subject matter. Accordingly,

Applicant has amended claims 11–23 so that the claims are directed to a computer comprising a memory in which the data protection module is stored, and a processor on which the data protection module is executed. Based on these amendments, claims 11–23 now include statutory subject matter.

5 Applicant respectfully requests that the 35 U.S.C. §101 rejection be withdrawn from the application.

35 U.S.C. §112, SECOND PARAGRAPH, INDEFINITENESS OF CLAIM 23

2. *Claim 23 affirmatively claims the element a remotely arranged maintenance computer, and therefore the subsequent reference has adequate*
10 *antecedent basis.*

In the OA, on p. 3, the Examiner rejected claim 23 under 35 U.S.C. §112, second paragraph, as being indefinite due to a lack of antecedent basis for the term “remotely arranged maintenance computer”.

Applicant respectfully asserts that claim 23 does affirmatively define the
15 element of “a remotely arranged maintenance computer” in the fourth line. This therefore provides the proper antecedent basis for the element “the remotely arranged maintenance computer” in subsequent line five. Thus, there is no antecedent basis issue in claim 23 and Applicant requests that the 35 U.S.C. §112 rejection be withdrawn from the application.

20 **35 U.S.C. §102(b), CLAIMS 1–16, 19, 20, 22, AND 23 ANTICIPATION BY O’FLAHERTY**

3. *Claim 1 has been amended to include the limitations of claim 9 (which has been cancelled), has amended claim 11 to include the limitations of claim 21 (which has been cancelled), and has amended claim 23 to include the limitations*

of claim 11 prior to amendment. O'Flaherty fails to teach or suggest the sensitive data comprising screen content or a video frame, and fails to teach or suggest the last element of claim 23 related to the remotely arranged maintenance computer.

5 In the OA, on p. 4, the Examiner rejected claim 1 as being anticipated by O'Flaherty and indicated how each of the elements of claim 1 was disclosed by this reference.

Applicant has amended claim 1 to include the limitations of claim 9. The Examiner, on p. 6 of the OA, stated that O'Flaherty further discloses the method
10 wherein the sensitive data comprises at least one of a screen content and a video frame. The Examiner cited to O'Flaherty at 7:66 – 8:22.

Applicant can find no discussion in this cited reference that relates to screen content or a video frame. Although this reference does discuss a “view” and a “mask”, these terms relate to a presentation of the data itself based on a
15 set of criteria, and do not relate to the source of the underlying data itself, as required by the amended claim language. O'Flaherty is silent as to the source of sensitive data being either screen content or a video frame.

Claim 11 has been amended to include a similar limitation, and thus, the above arguments are applicable.

20 With regard to claim 23, claim 23 has been amended to be an independent claim that includes the limitations of claim 11 prior to the present amendment. Applicant cannot find a discussion of the last element of this claim in the portions cited by the Examiner.

In the OA, on p. 8, the Examiner cited to O'Flaherty 15:12–37 as disclosing the last element of this claim. In pertinent portion, O'Flaherty states (15:21–25):

5 A system assistant 902 supports the definition and maintenance of the database infrastructure, while a privacy assistant 904 supports the definition and maintenance of tables, dataviews, macros, user profiles, logs, and audit reports.

Claim 23 requires, as its last element:

10 a data connection to a storage that comprises identification data for identification of a remotely arranged maintenance computer, wherein the remotely arranged maintenance computer is
15 identifiable by the data protection module using the identification data, and that data can only be transmitted to a remotely arranged computer depending on a result of the identification.

The portion of O'Flaherty cited by the Examiner is completely silent on the identification aspect required by this claim element. In the event that the
20 Examiner maintains this rejection in the next office action, the Applicant respectfully request that the Examiner indicate precisely how the claimed identification aspect related to the maintenance computer is taught or suggested by O'Flaherty.

For the reasons cited above, Applicant respectfully asserts that the
25 independent claims of the application, as amended to include the limitations of previous dependent claims, are not anticipated by O'Flaherty and request that the 35 U.S.C. §102 rejection be withdrawn from the application.

**35 U.S.C. §103(a), CLAIMS 17, 18, AND 21 OBVIOUSNESS OVER O'FLAHERTY AND
ROGINSKY**

4. *Applicant relies upon the above argument and assert that the teachings of Roginsky do not overcome the shortcoming in the teaching of O'Flaherty with respect to the independent claims. Roginsky does not teach or suggest a processing of screen content or a video frame—Roginsky simply makes reference to the fact that sensitive data may appear on a worker's screen.*

In the OA, on p. 10, the Examiner indicates that, with respect to claim 21, O'Flaherty fails to disclose an image data processor configured to process screen content or a video frame. The Examiner then adds the Roginsky reference as disclosing an image data processor that is configured to identify the constituent data parts based on sensible content of the screen content or the video content. The Examiner cites to paragraph 0007 of Roginsky as disclosing this.

Paragraph 0007 of Roginsky reads:

Quite often, it is not even an attacker who observes the sensitive data that are transmitted in clear text. For example, a clerk working an [sic] the offices of an insurance company may see arrays of customers' social security numbers on a computer screen. Even if no harm is caused by such exposure, it may constitute a violation of the customers privacy and is highly undesirable.

Clearly the only reference to screen content or video in this passage is simply to the fact that sensitive data may be disclosed on a computer screen to inappropriate or unauthorized persons. It in no way contains any disclosure related to a processor that can deal with processing the contents of the computer

screen or the identification of constituent parts of the computer screen. Roginsky is silent on this point.

Therefore, since the references, even when combined, fail to teach or suggest such processing, claim 23, as amended, is not obviated by the
5 combination of reference.

With regards to claims 17 and 18, Applicant relies upon the arguments presented above under the 35 U.S.C. §102 section and the claim amendments.

For these reasons, the Applicant asserts that the amended claim language clearly distinguishes over the prior art, and respectfully request that the
10 Examiner withdraw the §103(a) rejection from the present application.

CONCLUSION

Inasmuch as each of the objections have been overcome by the amendments, and all of the Examiner's suggestions and requirements have been satisfied, it is respectfully requested that the present application be reconsidered,
15 the rejections be withdrawn and that a timely Notice of Allowance be issued in this case.

Any shortages of fees due may be charged to, and any overpayments may be credited to, deposit account no. 50-1519.

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Respectfully submitted,

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